

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

NOV 28 2011

U.S. District Court

UNITED STATES OF AMERICA

VS.

ROSA ELVA BAES

§
§
§
§
§

CRIMINAL NO.

H 11 - 832

INDICTMENT

The United States Grand Jury charges:

COUNT 1

(False Statement to a Bank, 18 U.S.C. 1014)

On or about January 16, 2007, in the Houston Division of the Southern District of Texas and elsewhere,

ROSA ELVA BAES,

defendant herein, did knowingly make a false statement for the purpose of influencing the action of Franklin Bank, a bank whose accounts are insured by the Federal Deposit Insurance Corporation (FDIC), that is the defendant falsified a Uniform Residential Loan Application for the purpose of obtaining financing in the name of another person to purchase the residential property located at 9538 Stillcove Lane, Houston, Texas.

All in violation of Title 18, United States Code, Section 1014.

COUNT 2
(Aggravated Identity Theft- 18 U.S.C. §§1028A (a)(1))

On or about January 16, 2007, in the Houston Division of the Southern District of Texas and elsewhere,

ROSA ELVA BAES,

defendant herein, knowingly and without lawful authority used a means of identification of another, that is, social security number XXX-XX-8301 belonging to M.S., during and in relation to a violation of 18 U.S.C. § 1014, that is, making a false statement to a bank.

In violation of Title 18, United States Code, Section 1028A (a)(1).

NOTICE OF FORFEITURE
18 U.S.C. § 982(a)(2)

Pursuant to Title 18, United States Code, Section 982(a)(2), the United States gives notice to the Defendant,

ROSA ELVA BAES,

that in the event of her conviction for violations of Title 18, United States Code, Sections 1014 and 1028A, all property, real or personal, that constitutes or is derived from proceeds obtained directly or indirectly as a result of such violations shall be forfeited to the United States.

Money Judgment

Defendant is further notified that upon conviction, a money judgment may be

imposed equal to the total value of the property subject to forfeiture.

Substitute Assets

Defendant is notified that in the event that property subject to forfeiture, as a result of any act or omission of Defendant,

- (A) cannot be located upon the exercise of due diligence;
- (B) has been transferred or sold to, or deposited with, a third party;
- (C) has been placed beyond the jurisdiction of the court;
- (D) has been substantially diminished in value; or
- (E) has been commingled with other property that cannot be divided without difficulty,

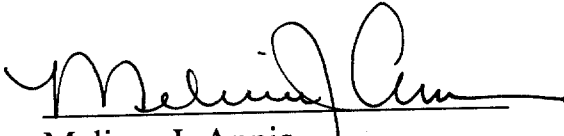
the United States will seek to forfeit any other property of the Defendant up to the total value of the property subject to forfeiture, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

TRUE BILL

ORIGINAL SIGNATURE ON FILE

FOREPERSON OF THE GRAND JURY

KENNETH MAGIDSON
United States Attorney

By: 
Melissa J. Annis
Assistant United States Attorney